



Montana Fish, Wildlife & Parks

Region One
490 North Meridian Rd.
Kalispell, MT 59901
(406) 752-5501
FAX: 406-257-0349
Ref:DV261-00
October 10, 2000

TO: Environmental Quality Council, Capitol Building, Helena, 59620-1704
Dept. of Environmental Quality, Metcalf Bldg., PO Box 200901, Helena, 59620-0901
Montana Fish, Wildlife & Parks
Director's Office – Rich Clough
Parks Division – Jeff Erickson, Allan Kuser
Fisheries Division – Karen Zackheim, Larry Peterman
Legal Unit
Lands – Darlene Edge, Debbie Dils
Design & Construction – Dick Mayer
Montana Historical Society, State Historic Preservation Office, 225 North Roberts, Veteran's
Memorial Building, Helena, 59620-1201
Montana State Library, 1515 East Sixth Ave., Helena, 59620-1800
Jim Jensen, Montana Environmental Information Center, PO Box 1184, Helena, 59624
George Ochenski, PO Box 689, Helena, 59624
Wayne Hirst, Montana State Parks Foundation, PO Box 728, Libby, 59923
Montana State Parks Association, PO Box 699, Billings, 59103
Joe Gutkoski, President, Montana River Action Network, 304 N 18th Ave., Bozeman, 59715
Rep. Paul Sliter, PO Box 118, Somers, 59932
Sen. Bob Keenan, Box 697, Bigfork, 59911-0697
Rep. Rob Raney, 212 S. 6th, Livingston, 59047
Flathead County Commissioners, 800 S Main Street, Kalispell, 59901
Flathead County Library, 247 First Avenue E, Kalispell, 59901

Ladies and Gentlemen:

The enclosed Environmental Assessment (EA) has been prepared for the Shady Lane fishing pond. The project proposes to reshape and develop an existing gravel pit, presently on private land, for use as a fishing pond.

Questions and comments will be accepted until November 9, 2000. Please direct your questions or comments to Marty Watkins, Regional Parks Manager, FWP, 490 N. Meridian Road, Kalispell, MT 59901, or e-mail to mawatkins@state.mt.us. Thank you.

Sincerely,

Dan Vincent
Regional Supervisor

DV/nli
Enclosure

Flathead

ENVIRONMENTAL ASSESSMENT (EA)

SHADY LANE

FISHING POND

March, 2000



Fish, Wildlife & Parks
490 North Meridian Road
Kalispell, MT 59901

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Appendix A	Proposed Plan
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DRAFT MEPA/NEPA/HB495 CHECKLIST

PART I. PROPOSED ACTION DESCRIPTION

1. **Type of Proposed State Action:** Construct a kids' fishing pond and acquire fee title to the land.
2. **Agency Authority for the Proposed Action:** Fish, Wildlife & Parks (FWP), 490 North Meridian Road, Kalispell, MT 59901, e-mail mawatkins@state.mt.us
3. **Name of Project:** Shady Lane Fishing Pond.
4. **Name, Address and Phone Number of Project Sponsor (if other than the agency):**
5. **If Applicable:**

Estimated Construction/Commencement Date: November, 2000
Estimated Completion Date: January, 2001
Current Status of Project Design (% complete): 95%
6. **Location Affected by Proposed Action (county, range and township):** Flathead County, Sec. 10, T. 28 N., R. 21 W.
7. **Project Size: Estimate the number of acres that would be directly affected that are currently:**

(a) Developed: residential <u>0</u> acres industrial..... <u>0</u> acres	(d) Floodplain..... <u>3</u> acres
(b) Open Space/Woodlands/ Recreation..... <u>2</u> acres	(e) Productive: irrigated cropland.... <u>0</u> acres dry cropland..... <u>0</u> acres forestry..... <u>0</u> acres rangeland..... <u>0</u> acres other..... <u>0</u> acres
(c) Wetlands/Riparian Areas..... <u>0</u> acre	
8. **Map/site plan:** attach an original 8 1/2" x 11" or larger section of the most recent USGS 7.5' series topographic map showing the location and boundaries of the area that would be affected by the proposed action. A different map scale may be substituted if more appropriate or if required by agency rule. If available, a site plan should also be attached.

9. Summary of the Proposed Action or Project Including the Benefits and Purpose of the Proposed Plan:

To reshape and develop an existing gravel pit, presently on private land, to a more pleasing and beneficial design for use as a fishing pond for the area's children and families (Appendix A). The site is located within the flood plain of the Flathead River. The water level in the pond fluctuates, approximately 3 feet annually, with the water level of the river $\frac{1}{4}$ mile to the south (Appendix B). The site is also located within the boundaries of the Stillwater State Wildlife Management Area (Appendix C).

The gravel pit was dug several years ago by the landowner to supply fill material for expanding a trailer court on Shady Lane. Permits for digging within the flood plain were not acquired to remove the gravel. The landowner is now required to obtain the proper permits to reclaim the site and satisfy the requirements established by the State Department of Environmental Quality (DEQ). The intent is to reshape the pond, deepen some areas as necessary and, if possible, slope the edges to an acceptable grade. Some of the reshaping will extend into FWP lands adjacent to the pond on the north side. This will be done in close cooperation with FWP, DEQ, and the landowner. The reclamation will be paid for by FWP, and the land will then be deeded to FWP and folded into the Old Steel Bridge fishing access site (Kiwanis Lane FAS).

The major public access into the pond will be from Conrad Drive through the Old Steel Bridge fishing access site just east of this proposed project. A parking lot will be provided at this site. A second pedestrian trail will be provided from Shady Lane over state-owned land to the pond.

The present landowner will do the reconstruction and improvement work on the pond, using the plans and specifications provided by FWP and DEQ. Once the work is complete and accepted, FWP will acquire the land from the present landowner and will manage the site as a children's/family fishing pond.

1. BENEFITS TO THE PUBLIC:

Rehabilitation of the pond, stocking it with fish, and acquisition of the land will provide public access to a children's/family fishing pond in the eastern portion of the Kalispell area. Three other children's/family fishing ponds have been developed in various areas throughout Kalispell and have been widely accepted by the residents of the areas (Appendix C). The fishing ponds provide an outdoor opportunity and experience for the area's children to learn outdoor activities and skills that will benefit them throughout their lifetime. The ponds are heavily used by 4th grade classes participating in the "Hooked on Fishing, Not on Drugs" program.

2. RELATIONSHIPS TO PROGRAM GOALS AND OUTCOMES:

In 1996, Montana Fish, Wildlife & Parks began its Family Fishing Adventure program, which tries to make it easier for all Montana families to spend time together outdoors. The Montana Angling Youth, or M*A*Y* Club, is one program in which participants may share in Montana fishing and aquatic resources. Another aspect of the program is the Family Fishing Sites program. The objective of this program is to locate bodies of water near towns so families can spend some quality time together in their favorite sport. This site meets those criteria for this type of use.

3. WHAT PROBLEMS WILL THE PROJECT SOLVE?

The water-filled gravel pit does not meet DEQ reclamation standards. The landowner must reclaim the site in a manner acceptable to DEQ. With the assistance of DNRC and FWP, the gravel pit can be renovated into a useful and acceptable pond and provide an opportunity to expand a program developed by FWP in 1996. It will also provide the opportunity for a fishing experience away from the fast flowing Flathead River nearby.



Looking southeast. Notice fence on east and west side of pond. Fence on right side will remain in place. Fence on left will be removed. Land behind fence on the left is state-owned land. Shore line on the left will be reshaped for a more pleasant and environmentally improved fish habitat. (Photo by Worthington)

4. IS THIS A ONE TIME, PHASED, OR ONGOING PROJECT?

The development of this site into a public fishing pond is a one-time project. It will be developed and managed as a public fishing site. The Family Fishing Adventure program, the

Montana Angling Youth, or M*A*Y* Club, and "Hooked on Fishing, Not on Drugs" are ongoing projects. Other sites will be developed for public fishing as they become available. The goal is to provide these types of sites near urban areas, where they are within walking distance of the residences.

5. WHAT ARE THE ESTIMATED OPERATIONAL COSTS, INCLUDING FTE, AT THE COMPLETION OF THIS PROJECT (6 YEARS FOLLOWING COMPLETION)?

This site will be folded into Kiwanis Lane/Old Steel Bridge Fishing Access Site. Maintenance will cost approximately \$500 and .05 FTE per year.

6. WHAT ARE THE LONG-TERM IMPLICATIONS IF THE PROJECT IS NOT DONE?

The landowner would not be able to reclaim the site to DEQ standards due to a lack of room for proper slopes. The existing chain link fence will remain in place, blocking off public access to protect the landowner from liability. A potential recreational opportunity will be lost to the public.

10. Listing of any other Local, State or Federal agency that has overlapping or additional jurisdiction :

(a) Permits:

Agency Name	Permit	Date Filed/#
Department of Environmental Quality (DEQ)	3(a) turbidity permit Open cut reclamation permit	

(b) Funding:

Agency Name	Funding Amount

(c) Other Overlapping or Additional Jurisdictional Responsibilities:

Agency Name	Type of Responsibility
Army Corps of Engineers	404 Permit Dredge and Fill Permit
Flathead County Rural Development Office (FRDO)	Floodplain Permit Floodplain Management

11. List of Agencies Consulted During Preparation of the EA:

Fish, Wildlife & Parks (FWP)
Department of Environmental Quality (DEQ)
Flathead County Rural Development Office (FRDO)

PART II. ENVIRONMENTAL REVIEW

PHYSICAL ENVIRONMENT

1. <u>LAND RESOURCES</u> Will the proposed action result in:	IMPACT				Can Impact Be	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Soil instability or changes in geologic substructure?		X				
b. Disruption, displacement, erosion, compacting, moisture loss, or over-covering of soil which would reduce productivity or fertility?			X		YES	1b
c. Destruction, covering or modification of any unique geologic or physical features?		X				
d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?		X				
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				
f. Other						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

1 a-e. The site is a gravel pit developed several years ago without the proper permits. The landowner must repair the site to an acceptable standard established by the DEQ. This project will eliminate the problems caused by the past work due to the excavation and will bring the site back into acceptable standards.

1 b. Topsoil and gravel will be excavated from several areas to provide an irregular, more aesthetic shoreline. Gravel removed will be used to contour shoreline to a safer, flatter grade. Topsoil will be used to revegetate reshaped lands.

PHYSICAL ENVIRONMENT

2. <u>AIR</u> Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comr Inde
	Unknown	None	Minor	Potentially Significant		
a. Emission of air pollutants or deterioration of ambient air quality? (also see 13 (c))			X	-	YES	2a
b. Creation of objectionable odors?			X		YES	2b
c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?		X				
d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		X				
e. For P-R/D-J projects, will the project result in any discharge which will conflict with federal or state air quality regs? (Also see 2a)		X				
f. Other						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Air Resources (Attach additional pages of narrative if Needed):

2 a & b. During the construction period, heavy earth moving equipment will emit exhaust fumes and dust, which may be objectionable to some. Work will occur during normal working hours, and the exhaust fumes and dust will dissipate into the surrounding woodland. The odor and dust will cease upon completion of the work.

PHYSICAL ENVIRONMENT

3. <u>WATER</u> Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen or turbidity?			X	-		3a
b. Changes in drainage patterns or the rate and amount of surface runoff?		X				
c. Alteration of the course or magnitude of flood water or other flows?		X				
d. Changes in the amount of surface water in any water body or creation of a new water body?		X				
e. Exposure of people or property to water related hazards such as flooding?		X				
f. Changes in the quality of groundwater?		X				
g. Changes in the quantity of groundwater?		X				
h. Increase in risk of contamination of surface or groundwater?		X				
i. Effects on any existing water right or reservation?		X				
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				
l. For P-R/D-J, will the project affect a designated floodplain? (Also see 3c)			X		YES	3 l
m. For P-R/D-J, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a)		X				
n. Other:						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Water Resources (Attach additional pages of narrative if Needed):

3 a. Turbidity will increase in the pond during construction, but this will be a short-term impact.

3 l. The project occurs in a designated floodplain. No impacts are anticipated. Flathead Regional Development Office (FRDO) will be consulted on necessary permits.

The pond is filled through underground flows that rise and fall with the levels of Flathead River. There are several subsurface springs in the pond. While there is no outlet, water travels through subsurface gravel to the Flathead River, keeping the pond relatively fresh.

PHYSICAL ENVIRONMENT

4. <u>VEGETATION</u> Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Commer Index
	Unknown	None	Minor	Potentially Significant		
a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?			X	=	YES	4a
b. Alteration of a plant community?		X				
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				
d. Reduction in acreage or productivity of any agricultural land?		X				
e. Establishment or spread of noxious weeds?			X		YES	4e
f. For P-R/D-J, will the project affect wetlands, or prime and unique farmland?		X				
g. Other:						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

4 a. There are no trees presently upon the private land surrounding the pond. In the reshaping of the pond edges, some existing trees and shrubs on state lands to the north will be removed. The shoreline will be top dressed with topsoil and planted to various grass mixtures and native shrubs. Water plants will occur naturally over time.

4 e. FWP has a noxious weed control program. This site will be added to the list of sites managed.

PHYSICAL ENVIRONMENT

5. <u>FISH/WILDLIFE</u> Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Deterioration of critical fish or wildlife habitat?		X		/		5a
b. Changes in the diversity or abundance of game animals or bird species?		X				
c. Changes in the diversity or abundance of non game species?		X				
d. Introduction of new species into an area?			X		YES?	5d
e. Creation of a barrier to the migration or movement of animals?		X				5e
f. Adverse effects on any unique, rare, threatened, or endangered species?		X				
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?		X				
h. For P-R/D-J, will the project be performed in any area in which T&E species are present, and will the project affect any T&E species or their habitat? (Also see 5f)		X				
i. For P-R/D-J, will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d)			X		YES?	5i
j. Other:						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

5 a. The completion of this project will improve the fish habitat.

5 e. The completion of the project will improve the migration of animals by the removal of a chain link fence from the north and east end of the project.

5 d & i. Once the pond is reclaimed, it will be planted with native westslope cutthroat trout for put-grow-take management to provide family fishing. An environmental assessment will be completed by FWP as according to state laws prior to introducing the fish.

HUMAN ENVIRONMENT

6. <u>NOISE/ELECTRICAL EFFECTS</u> Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comm Index
	Unknown	None	Minor	Potentially Significant		
a. Increases in existing noise levels?			X	/	YES	6a
b. Exposure of people to severe or nuisance noise levels?			X		YES	6b
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		X				
d. Interference with radio or television reception and operation?		X				
e. Other:						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if Needed):

6 a. With use, some noise levels will increase; however, distance from residences and trees adjacent to the site will aid in the reduction of the noise levels.

6 b. There will be short-term increase in noise levels as heavy equipment is used to reshape the pond banks. Equipment work should occur during normal working hours and will cease when the project is completed.

HUMAN ENVIRONMENT

7. <u>LAND USE</u> Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?		X		=		
b. Conflicted with a designated natural area or area of unusual scientific or educational importance?		X				
c. Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action?		X				
d. Adverse effects on or relocation of residences?		X				
e. Other: _____						

HUMAN ENVIRONMENT

8. <u>RISK/HEALTH HAZARDS</u> Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?		X				
b. Affect an existing emergency response or emergency evacuation plan or create a need for a new plan?		X				
c. Creation of any human health hazard or potential hazard?		X				
d. For P-R/D-J, will any chemical toxicants be used? (Also see 8a)		X				
e. Other:						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

HUMAN ENVIRONMENT

9. <u>COMMUNITY IMPACT</u> Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comm Index
	Unknown	None	Minor	Potentially Significant		
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?		X		-		
b. Alteration of the social structure of a community?		X				
c. Alteration of the level or distribution of employment or community or personal income?		X				
d. Changes in industrial or commercial activity?		X				
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?		X				
f. Other:						

HUMAN ENVIRONMENT

10. <u>PUBLIC SERVICES/TAXES/UTILITIES</u> Will the proposed action:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any specify: _____			X	-	YES	10a
b. Have an effect upon the local or state tax base and revenues?		X				
c. Result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?			X		YES	10c
d. Result in increased use of any energy source?		X				
e. Define projected revenue sources						
f. Define projected maintenance costs.						
g. Other: _____						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

10 a. Will require maintenance of site (rubbish and garbage pick-up, parking lot, and access road, etc.) several times during the year by FWP. Routine checking for fishing license may be needed. No other government services are anticipated.

Completion of this project will improve the fish habitat.

10 c. There will be increases in seasonal fishing use; however, access road and parking lot will be provided, plus an access trail from the north over state-owned land. A vault toilet may be needed; no other utilities will be required.

HUMAN ENVIRONMENT

11. <u>AESTHETICS/RECREATION</u> Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comments Index
	Unknown	None	Minor	Potentially Significant		
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?		X		-		11a
b. Alteration of the aesthetic character of a community or neighborhood?		X				
c. Alteration of the quality or quantity of recreational/tourism opportunities and settings? (Attach Tourism Report)		X				11c
d. For P-R/D-J, will any designated or proposed wild or scenic rivers, trails or wilderness areas be impacted? (Also see 11a, 11c)		X				
e. Other:						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

11 a. Although the site is not visible from any development, the planned work will improve the aesthetic view for those using the site.

11 c. The establishment of this unsightly gravel pit into an aesthetically pleasing fishing pond will improve and enhance the recreational opportunities for local anglers as well as for their out-of-state friends. The other family fishing sites in Kalispell are providing 1000 days or more of fishing per acre per year.

HUMAN ENVIRONMENT

12. CULTURAL/HISTORICAL RESOURCES Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Destruction or alteration of any site, structure or object of prehistoric historic, or paleontological importance?		X				12a
b. Physical change that would affect unique cultural values?		X				
c. Effects on existing religious or sacred uses of a site or area?		X				
d. For P-R/D-J, will the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12.a)		X				12d
e. Other:						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

12 a. The unauthorized development of the gravel pit would have destroyed any historical evidence, had there been any.

12 d. The recontouring work will excavate undisturbed ground to the north of the gravel pit. The archeological investigation has been completed, and no evidence of cultural deposits in the proposed disturbed area have been found.

HUMAN ENVIRONMENT

13. SUMMARY EVALUATION OF SIGNIFICANCE Will the proposed action, considered as a whole:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources which create a significant effect when considered together or in total.)		X				
b. Involve potential risks or adverse effects which are uncertain but extremely hazardous if they were to occur?		X				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard or formal plan?		X				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		X				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?		X				
f. <u>For P-R/D-J</u> , is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e)		X				
g. <u>For P-R/D-J</u> , list any federal or state permits required.			X		YES?	13g

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

13 g. Army Corps of Engineers 404 Permit (dredge and fill activities), DEQ 3(a) turbidity permit, and DEQ open cut reclamation permit.

2. **Description and analysis of reasonable alternatives (including the no-action alternative) to the proposed action, whenever alternatives are reasonably available and prudent to consider, and a discussion of how the alternatives would be implemented:**

Alternatives:

Alternative #1: No Action: FWP will not enter into an agreement with the present landowner and DEQ to develop the site into a public children's fishing pond. The site will not be available for public use.

Alternative #2: Upgrade Existing Facilities: Enter into an agreement with the present landowner and DEQ to improve the site and develop it into a public fishing access site. Reshape the pond and slopes, deepen in areas if necessary, provide access into the site from the north and east, and acquire the land in fee title when the project is complete.

Alternative #3: FWP acquires the site in fee title and assumes responsibility for reclamation. This would place statutory obligations on FWP. Due to budgeting and planning procedures, completion of the project would be delayed for at least 3-4 years.

Preferred Alternative: Alternative #2.

3. **Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency:**

All contracts will comply with FWP, DEQ, FRDO, and USACE specifications, time frames, and bidding procedures. Work will be scheduled to minimize impacts to the users and nearby residents.

FWP will work with the present landowner to reclaim the gravel pit to eliminate any further pollution of the water and restore the site to an acceptable, usable condition. Such work may include grading, seeding, soil removal, and anything necessary to protect the air and water resources.

4. **Based on the significance criteria evaluated in this EA, is an EIS required? YES / NO If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action:**

No, an EIS will not be required. The EA will satisfactorily provide adequate information to satisfy any information required by law.

5. **Describe the level of public involvement for this project, if any; and, given the complexity and the seriousness of the environmental issues associated with the proposed action, is the level of public involvement appropriate under the circumstances:**

Notices of the impending acquisition will be published in the legal notices of the local newspapers and on the electronic bulletin board, advising the availability of copies of the EA for public review. A public meeting will be held if comments received warrant it.

6. Duration of comment period if any:

30 days – October 10 through November 9, 2000

7. Name, title, address, and phone number of the person(s) responsible for preparing the EA:

Wayne B. Worthington, Consultant
Landscape Architect
365 Summit Ridge Drive
Kalispell, MT 59901
(406) 752-2916

PART III. NARRATIVE EVALUATION AND COMMENT

1 a-e. The site is a gravel pit developed several years ago without the proper permits. The landowner must repair the site to an acceptable standard established by the DEQ. This project will eliminate the problems caused by the past work due to the excavation and will bring the site back into acceptable standards.

1 b. Topsoil and gravel will be excavated from several areas to provide an irregular, more aesthetic shoreline. Gravel removed will be used to contour shoreline to a safer, flatter grade. Topsoil will be used to revegetate reshaped lands.

2 a & b. During the construction period, heavy earth moving equipment will emit exhaust fumes and dust, which may be objectionable to some. Work will occur during normal working hours, and the exhaust fumes and dust will dissipate into the surrounding woodland. The odor and dust will cease upon completion of the work.

3 a. Turbidity will increase in the pond during construction, but this will be a short-term impact.

3 i. The project occurs in a designated floodplain. No impacts are anticipated. Flathead Regional Development Office (FRDO) will be consulted on necessary permits.

The pond is filled through underground flows that rise and fall with the levels of Flathead River. There are several subsurface springs in the pond. While there is no outlet, water travels through subsurface gravel to the Flathead River, keeping the pond relatively fresh.

4 a. There are no trees presently upon the private land surrounding the pond. In the reshaping of the pond edges, some existing trees and shrubs on state lands to the north may need to be removed. The shoreline will be top-dressed with topsoil and planted to various grass mixtures and native shrubs. Water plants will occur naturally over time.

4 e. FWP has a noxious weed control program. This site will be added to the list of sites managed.

5 a. The completion of this project will improve the fish habitat.

5 e. The completion of the project will improve the migration of animals by the removal of a chain link fence from the north and east end of the project.

5 d & i. Once the pond is reclaimed, it will be planted with native westslope cutthroat trout for put-grow-take management to provide family fishing. An environmental assessment will be completed by FWP as according to state laws prior to introducing the fish.

6 a. With use, some noise levels will increase; however, distance from residences and trees adjacent to the site will aid in the reduction of the noise levels.

6 b. There will be short-term increase in noise levels as heavy equipment is used to reshape the pond banks. Equipment work should occur during normal working hours and will cease when the project is completed.

10 a. Will require maintenance of site (rubbish and garbage pick-up, parking lot, and access road, etc.) several times during the year by FWP. Routine checking for fishing license may be needed. No other government services are anticipated.

Completion of this project will improve the fish habitat.

10 c. There will be increases in seasonal fishing use; however, access road and parking lot will be provided, plus an access trail from the north over state-owned land. A vault toilet may be needed; no other utilities will be required.

11 a. Although the site is not visible from any development, the planned work will improve the aesthetic view for those using the site.

11 c. The establishment of this unsightly gravel pit into an aesthetically pleasing fishing pond will improve and enhance the recreational opportunities for local anglers as well as for their out-of-state friends. The other family fishing sites in Kalispell are providing 1000 days or more of fishing per acre per year.

12 a. The unauthorized development of the gravel pit would have destroyed any historical evidence, had there been any.

13 g. Army Corps of Engineers 404 Permit (dredge and fill activities), DEQ 3(a) turbidity permit, and DEQ open cut reclamation permit.

SHADY LANE FISHING POND





